

a pair of plates located on opposed sides of the finger gauges, the pair of plates attached to and pivoting about the first connecting bolt, the pair of plates having holes at one end to allow the second connecting bolt to pass therethrough; and

a block located between the pair of plates at one end of the finger gauges, the block having a hole extending entirely through the block, the hole in the block holding the second connecting bolt whereby the block pivots about the second connecting bolt.

### **REMARKS**

The Applicant thanks the Examiner for the courtesy shown during the recent Examiner's Interview. The claims have been amended in accordance with the discussion held during that Interview. Claims 4, 11, 13 – 14 and 16 – 27 have been amended. Claims 4, 11, 13 – 14 and 16 - 27 remain pending in the application. Re-examination of the claims is requested.

The Examiner has stated that the claims 16 – 20 added in the last Response are directed to an invention that is independent or distinct from the invention originally claimed. The Applicant respectfully disagrees. Claims 16 – 20 are directed to the indexing spacer of the invention. This indexing spacer is essential for the location of the horizontal member and is therefore an element of the independent claim 4 from which these claims depend. Since these claims depend from and further limit claim 4, it is respectfully submitted that these claims are not independent and distinct from claim 4. As a result, the Examiner is respectfully requested to remove her Restriction and examine claims 16 - 20.

The abstract has been amended as requested by the Examiner to remove the word “comprising.” As a result, the 145 word Abstract is believed to comply with the requirements for Abstracts. The Examiner is requested to remove her objection to the Abstract.

Claim 14 stands rejected under 35 USC §112m first paragraph as failing to comply with the enablement requirement. Claim 14 has been amended to make it clear that both features of the indexing spacer are not found in the same device. Rather, these features are found in separate groups of indexing spacers. As a result, it is respectfully submitted that there is support for the claim as amended in at least Figures 29 – 32. Therefore, the Examiner is respectfully requested to remove her ‘112 first paragraph rejection.

Claims 4, 13, 14, 21 and 22 stand rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter that the applicant regards as the invention. Claims 4 and 21 have been amended to remove the reference to “woodworking machine” and replace therefore “woodworking tool” which has antecedent basis in the preamble of the claims. Further, reference in claims 4 and 21 to “such as a cutting portion” have been removed. In addition, both claims 4 and 21 have been amended to make clear the mechanism for positioning the horizontal member with respect to the cutting portion.

Finally, as requested by the Examiner in the Examiner’s Interview, claims 4 and 21 have amended their preambles to refer to “A system for work piece milling on woodworking tools” to replace their prior reference to “An adjustable back fence for work piece milling on woodworking tools ... .” Reference to “adjustable back fence” in the preamble of claims 4 and 21 as well as in the claims that depend from claims 4 and 21 has been replaced with “system.”

With these amendments, it is respectfully submitted that the Examiner's '112 rejection of these claims is traversed. Therefore, the Examiner is respectfully requested to remove her '112 second paragraph rejection.

Claim 4 stands rejected under 35 U.S.C. 102 as being anticipated by Jukoff et al. Jukoff et al. discloses a "traverse adjustment assembly 42 movable in transverse direction 34 for adjusting the position of positioning member 28 in transverse direction 34 ... ." (Col. 6, lines 30 – 32) Jukoff et al.'s lengthwise adjustment assembly 40 includes channels 44, 46 having an elongated slot 50, 52. But, these channels and slots are disposed parallel to the direction of workpiece movement through the cutting portion.

In contradistinction, and as demonstrated at the Examiner's Interview, the presently claimed invention's channel is "secured to the woodworking tool approximately perpendicular to the direction of work piece movement through the cutting portion on the woodworking tool". (Emphasis added) Further, the spacers 64, 66 that the Examiner has referred to appear to be "rods" that "prevent transverse movement of guide rail 58 relative to guide tracks 44 and 46." (Col. 6, lines 55 – 60) There does not appear to be any analogous structure in Jukoff et al. to the indexing spacer of the presently claimed invention "that fits within and is retained in the elongated slot of the channel" and that allows "the horizontal member is moved toward the cutting portion until the connection member contacts the indexing spacer so that the horizontal member is positioned a distance from the cutting portion of the woodworking tool in a precisely determined distance from the cutting portion of the woodworking tool, the distance determined by the length of the indexing spacer" (emphasis added) as is required by the two independent

claims of the invention. As a result, it is respectfully submitted that Jukoff et al. does not anticipate the claimed invention. There is no teaching or suggestion in Jukoff et al. or the other cited references to provide a channel with this required orientation or indexing spacers to hold the horizontal member a precise distance from the cutting portion. Therefore, it is respectfully submitted that Jukoff et al., singly or in combination with the other cited references does not render the presently claimed invention obvious.

None of the cited references, singly or in combination, teach or suggest the use of channels having an elongated channel that is secured to the woodworking tool approximately perpendicular to the direction of work piece movement through the cutting portion on the woodworking tool and at least one indexing spacer that fits within and is retained in the elongated slot of the channel and that allows the horizontal member to be moved toward the cutting portion until the connection member contacts the indexing spacer so that the horizontal member is positioned a distance from the cutting portion of the woodworking tool in a precisely determined distance from the cutting portion of the woodworking tool which distance is determined by the length of the indexing spacer. Therefore, the cited references do not anticipate or suggest the invention claimed in claims 4 and 21. Because claims 11, 13 and 14 depend from and further limit what is believed to be allowable claim 4, it is respectfully submitted that claims 11, 13 and 14 are also in condition for allowance.

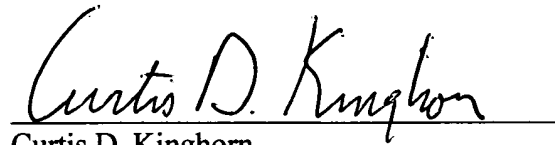
In view of the foregoing, it is respectfully submitted that claims 4, 11, 13 – 14 and 16 – 27 are in condition for allowance. The Examiner is requested to re-examine claims 4, 11, 13 – 14 and 16 – 27 and thereafter allow the claims. Should the Examiner find it useful, the Examiner

is requested to contact the undersigned at (651) 484-1032 with any questions or comments she may have.

Respectfully submitted,

Applicant

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A handwritten signature in cursive script, reading "Curtis D. Kinghorn", is written over a horizontal line.

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